IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8924 OF 2007

Shri Jadhav Shivaji Namdeo ..Petitioner

Vs.

State of Maharashtra and ors. ..Respondents

Mr. S.A. Ghaisas for petitioner.
Mr. S.K. Chinchalikar, AGP for State.

**CORAM: B.H. MARLAPALLE, J.**

**Date : December 20, 2007.**

**P.C.:**

. Heard Mr. Ghaisas the learned counsel for the petitioner who is aggrieved by dismissal of his appeal by the School Tribunal i.e. Appeal No. 66 of 2005.

. The petitioner had claimed before the School Tribunal that he was reduced from the post of Junior Clerk to the post of Peon and this was an illegal act by the management.

. In the impugned order the School Tribunal on perusal of the record has observed that the petitioner was never appointed as a Junior Clerk. Even the

document at Sr.No.K below Exh.5 written by the appellant and submitted to the Education Officer no where mentioned that he was appointed as a Junior Clerk and, therefore, the School Tribunal recorded a finding that when he was not appointed to the post of Junior Clerk, there was no question of reduction in rank to the post of peon which post the appellant was having. There is no case made out to entertain this petition and the reasoning set out by the Tribunal in dismissing the appeal cannot be termed as perverse or patently erroneous so as to cause interference under Article 227 of the Constitution.

. Hence, the petition is rejected summarily.

**(B.H. Marlapalle,J.)**